



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,050	12/15/2000	Paul-David Morrison	Silikon	2324
54366 7590 06/21/2007 RICK B. YEAGER, ATTORNEY 10805 MELLOW LANE AUSTIN, TX 78759			EXAMINER VU, THANH T	
			ART UNIT 2174	PAPER NUMBER
			MAIL DATE 06/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/738,050	Applicant(s) MORRISON ET AL.	
	Examiner Thanh T. Vu	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-23, 27-31 and 37-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-23, 27-31, 37-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to Appeal Brief, filed 09/12/2006.

Claims 1-3, 5-23, 27-31, 37-45 are pending in this application. In the Amendment filed 04/03/2007, claims claim 1, 27, 42, and 45 were amended. This action is made Final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16, 18-23, 36-40 and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wical (U.S. Pat. No. 6,240,410) and Suzuki et al. ("Suzuki", U.S. Pat. No. 6,798,427).

Per claim 1, Wical teaches a method for presenting a portion of a database, the method comprising steps of:

presenting a first tier of menu options, each menu option in the first tier of menu options representing a first collection of data objects corresponding thereto (figs. 2a and 2b; col. 2, lines 20-35; col. 10, lines 10-20); and

in response to a selecting of an menu option of the first tier to produce a selected first tier menu option, presenting a second tier of menu options, each menu option in the second tier of menu options representing a second collection of data objects, each data object in the second tier

Art Unit: 2174

also belonging to the first collection of data objects corresponding to the selected first tier menu option (figs. 2a and 2b; col. 2, lines 20-35; col. 10, lines 34-36).

in response to a selecting of a menu option of the second tier to produce a selected second tier menu option, presenting a third tier of menu options, each menu option in the third tier of menu options representing a third collection of data objects each data object in the third tier also belonging to the second collection of data objects corresponding to the selected second tier menu option (see, fig. 2c; second tier option: "hard science and technology"; see, figs. 2c, third tier of options: "biology", "electronic", and "mathematic"); and in response to a selecting of a menu option of the third tier, displaying a page from electronic catalog database (see fig. 2c, a page from electronic catalog database is displayed in 310 when a option is selected). Wical does not teach the hierarchical menu options are displayed as graphical tabs, continuing to present at least a portion of the first tier after the tab of the second tier is selected; and continuing to present at least a portion of the first tier and at least a portion of the second tier after the table of the third tier is selected. However, Suzuki teaches hierarchical menu options are displayed as graphical tabs (fig. 4; 1st level of tabs: INSTRUMENT; 2nd level of tabs: STATE; 3rd level of tabs: STYLE OF RENDITION; col. 9, lines 10-29), continuing to present at least a portion of the first tier after the tab of the second tier is selected (the 1st level of tabs (INSTRUMENT) is continued to display when a tab (Atack) of the 2nd level of tabs (STATE) is selected) and continuing to present at least a portion of the first tier and at least a portion of the second tier after the tab of the third tier is selected (fig 4; 1st level of tabs (INSTRUMENT), and the 2nd level of tabs (STATE) are continued to display when a tab (BndUP) of the of the thirst tier of tier is selected. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

Art Unit: 2174

invention to include the teaching of Suzuki in the invention of Wilca in order to provide a visual presentation of all the hierarchical menu options at all levels of the hierarchical structure and to provide a visual presentation of the hierarchical relationship of all menu options at one level to another level (see fig. 4; and col. 25, lines 5-12).

Per claim 2, Wical teaches the method of claim 1, wherein: the second tier of tabs is not visible until after the selecting of a tab of the first tier (fig. 2a).

Per claim 3, Wical teaches the method of Claim 1, wherein: the second tier of tabs is visible (fig. 2b).

Per claim 5, Wical teaches the method of Claim 1, wherein the third tier of tabs is not visible until after the selecting of a tab of the second tier.

Per claim 6, Wical teaches the method of Claim 1, further comprising a step of:
in response to a selecting of a tab of the third tier to produce a selected third tier tab, presenting a fourth tier of tabs, each tab in the fourth tier of tabs representing a fourth collection of data objects, each data object in the fourth tier also belonging to the third collection of data objects corresponding to the selected third tier tab (figs. 2b and 2c); and in response to a selecting of a tab of the fourth tier, displaying a page from the electronic catalog database (see fig. 2d, a page from electronic catalog database 310).

Per claim 7, Wical teaches the method of Claim 1, wherein the electronic catalog database comprises a plurality of products (fig. 4b; col. 5, lines 28-40).

Per claim 8, Wical teaches the method of Claim 1, wherein: the presenting the first tier of tabs includes executing a process in a first computer system and displaying the first tier of tabs on a display device of a second computer system and the selecting of a tab of the first tier to

Art Unit: 2174

produce a selected first tier tab includes providing a selection of the selected first tier tab to the first computer system (col. 6, lines 1-12; network environment with remote access).

Per claim 9, Wical teaches the method of Claim 1, wherein: after the selecting of the tab of the first tier to produce the selected first tier tab representing a first collection of data objects, and in response to a selecting of a subsequent tab of the first tier to produce a subsequent selected first tier tab, wherein the first tier includes both the selected first tier tab and the subsequent selected first tier tab, replacing the second tier of tabs with a subsequent second tier of tabs representing a fourth collection of data objects; and replacing the third tier of tabs with a subsequent third tier of tabs representing a fourth collection of data objects (figs. 2a-2d; col. 10, lines 34-36; col. 11, lines 60-67).

Per claim 10, Wical teaches the method of Claim 1, further comprising a step of: modifying a browser to perform the presenting the first tier of tabs (fig. 2a; col. 11, lines 61-67).

Per claim 11, Wical teaches the method of Claim 1, further comprising: receiving a scroll input corresponding to at least one of the first tier and the second tier in response to receiving a scroll input, scrolling the corresponding at least one of the first tier and the second tier (figs. 2a-2c; scroll 320).

Per claim 12, Wical teaches the method of Claim 1, wherein: at least one of the first tier and the second tier is horizontal (figs. 2a-2c; item 300 and 310).

Per claim 13, Wical teaches the method of Claim 1, wherein: at least one of the first tier and the second tier is vertical (figs. 2a-2c; item 300 and 310).

Art Unit: 2174

Per claim 14, Wical teaches the method of Claim 1, wherein: at least one of the first tier and the second tier is horizontal and at least one of the first tier and the second tier is vertical (figs. 2a-2c; item 300 and 310).

Per claim 15, Wical teaches the method of Claim 1, wherein: the form representing the collection of records of tabs is visually scalable (col. 10, lines 48-55; contract and expand function).

Per claim 16, Wical teaches the method of Claim 1, further comprising a step of: accessing the database over a network (fig. 10; col. 6, lines 9-11).

Per claim 18, Wical teaches the method of Claim 16, wherein accessing the database includes reading a computer readable medium (col. 25, lines 36-50).

Per claim 19, Wical teaches the method of Claim 16, wherein: accessing the database over a network includes accessing a first portion of the database over a network and a second portion of the database over a computer readable medium (col. 6, lines 9-14; col. 25, lines 44-25).

Per claim 20, Wical teaches the method of Claim 16, further comprising: storing the portion of the database locally (col. 25, lines 48-51).

Per claim 21, Wical teaches the method of Claim 1, comprising accepting a text input search request from a user, conducting a search and identifying at least one data object that satisfies the search request, and identifying at least one data object (fig. 9a; item 270; col. 23, lines 59-67);

determining a second tier of tabs associated with the data object (fig. 9a; second tier 540);

determining a first set of tabs associated with the data object (fig. 9a; first tier 760); and

Art Unit: 2174

displaying a representation of the data object along with the first set of tabs and the second set of tabs (figs. 2a and 2b).

Per claim 22, Wical teaches the method of Claim 1, comprising presenting a graphic image on at least one of the first tier tabs (fig. 3a and 3b; col. 14, lines 8-30).

Per claim 23, Wical teaches the method of Claim 1, comprising presenting a graphic image on at least one of the second tier tabs (fig. 3a and 3b; col. 14, lines 8-30).

Per claim 37, Wilca teaches the method of Claim 1, further comprising a step of: receiving an action from a form of selectable graphics images representing a collection records of the database (col. 14, lines 8-31).

Per claim 38, Wilca teaches the method of Claim 37, wherein: the action is a text entry (fig. 9a; item 270; col. 23, lines 60-67).

Per claim 39, Wilca teaches the method of Claim 37, wherein: the action is a quantity (col. 12, lines 32-34; col. 13, lines 28-38).

Per claim 40, Wilca teaches the method of Claim 37, further comprising: in response to receiving an action, generating a record for subsequent action (fig. 2f; history 300).

Claim 42 is rejected under the same rationale as claim 1.

Per claim 43, Wilca teaches the method of Claim 42 comprising displaying a product display page (fig. 4c).

Per claim 44, Wilca teaches the method of Claim 42 comprising displaying an index page (col. 19, lines 29-48).

Claim 45 is rejected under the same rationale of claim 1 and 6.

Claim Rejections - 35 USC § 103

Art Unit: 2174

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wical (U.S. Pat. No. 6,240,410), Suzuki et al. ("Suzuki", U.S. Pat. No. 6,798,427), and Wittenburg et al. ("Wittenburg", U.S. Pat. No. 6,515,656).

Per claim 17, the modified Wical teaches the method of Claim 16, but does not teach accessing the database over a network includes accessing the database over the Internet. However, Wittenburg teaches accessing the database over a network includes accessing the database over the Internet (fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the internet access as taught by Wittenburg in the invention of the modified Wical because it provides users with remote access to information over the WWW.

Per claim 41, Wical teaches the method of Claim 37, but does not teach generating a purchase order in response to receiving the action. However, Wittenburg teaches generating a purchase order in response to receiving the action (fig. 10; online shopping). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the online shopping as taught by Wittenburg in the invention of Wical because it provides users with remote access to online shopping over the WWW.

Art Unit: 2174

Claims 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wical (U.S. Pat. No. 6,240,410), Suzuki et al. ("Suzuki", U.S. Pat. No. 6,798,427), and Bodnar (U.S. 2001/0000668).

Per claim 27, Wical teaches a method for presenting an electronic office products catalog, the method comprising:

- assigning, for each office product, at least one product category name (fig. 2a; item 200);
- assigning, for each product category name an alphabetic menu option (fig. 6a; col. 20, lines 26-32);

- assigning, for each office product, at least one page number of the electronic catalog where the office product will be displayed (figs. 2e and 2f; list function; col. 12, lines 32-34; col. 13, lines 28-39);

- assigning, for each product category name, a set of page numbers corresponding to the pages of the electronic catalog at least one office product corresponding to the product category name will be displayed in the electronic office products catalog (figs. 2e and 2f; list function; col. 12, lines 32-34; col. 13, lines 28-39);

- presenting a first tier of alphabetic menu options, each alphabetic menu option displaying at least one letter (fig. 6a; col. 20, lines 26-32);

- in response to a selecting of an alphabetic menu option, presenting a second tier of product category name menu options, such that a product category name menu option is presented for each product category name (fig. 6b; col. 20, lines 34-46);

- in response to a selecting of a product category name menu option, presenting a third tier of page number menu options, such that at least one page number menu option is presented for

Art Unit: 2174

each product category name and in response to a selecting of a page number menu option, displaying the first page represented by the page number menu option (figs. 2e and 2f; list function; col. 12, lines 32-34; col. 13, lines 28-39).

Wical does not teach the hierarchical menu options are displayed as graphical tabs, continuing to present at least a portion of the first tier of alphabetic tabs after the product category name tab is selected; and continuing to present at least a portion of the first tier of alphabetic tabs and at least a portion second tier of product category name tabs after the page number tab is selected and assigning, for each product category name an alphabetic tab such that the tab corresponds to the first letter of the product category name and in response to a selecting of an alphabetic tab, presenting a tier of product category name tabs, such that a product category name tab is presented for each product category name beginning with the alphabetic letter of the selected alphabetic tab. However, However, Suzuki teaches hierarchical menu options are displayed as graphical tabs (fig. 4; 1st level of tabs: INSTRUMENT; 2nd level of tabs: STATE; 3rd level of tabs: STYLE OF RENDITION; col. 9, lines 10-29), continuing to present at least a portion of the first tier after the tab of the second tier is selected (the 1st level of tabs (INSTRUMENT) is continued to display when a tab (Attack) of the 2nd level of tabs (STATE) is selected) and continuing to present at least a portion of the first tier and at least a portion of the second tier after the tab of the third tier is selected (fig 4; 1st level of tabs (INSTRUMENT), and the 2nd level of tabs (STATE) are continued to display when a tab (BndUP) of the of the thirist tier of tier is selected. Bodnar teaches assigning, for each product category name an alphabetic tab such that the tab corresponds to the first letter of the product category name and in response to a selecting of an alphabetic tab, presenting a tier of product category name tabs, such that a product category

Art Unit: 2174

name tab is presented for each product category name beginning with the alphabetic letter of the selected alphabetic tab. (figs. 8E and 8F; [0084]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the alphabetic tab as taught by Suzuki and Bodnar in the invention of Wical in order to in order to provide a visual presentation of all the hierarchical menu options at all levels of the hierarchical structure and to provide a visual presentation of the hierarchical relationship of all menu options at one level to another level (see fig. 4; and col. 25, lines 5-12). and in order to provide users with a methodology for dynamically adjusting tab categories and subcategories.

Per claim 28, Wical teaches the method of claim 27 comprising scrolling at least one of the alphabetic, product name, or page number tabs (fig. 2a-2f; scroll 320).

Per claim 29, Wical teaches the method of claim 27 comprising in response to a selecting of a product category name tab, presenting a third tier of product sub-category name tabs such that at least one sub-category name tab is presented for each product category name (figs. 2e and 2f; list function; col. 12, lines 32-34; col. 13, lines 28-39);

in response to a selecting of a product sub-category name tab, presenting a fourth tier of page number tabs, such that at least one page number tab is presented for each sub-product category name and in response to a selecting of a page tab, displaying the first page represented by the page number tab (figs. 2e and 2f; list function; col. 12, lines 32-34; col. 13, lines 28-39).

Per claim 30, Wilca teaches the method of claim 27 comprising accessing the electronic office products catalog over a network (fig. 10; col. 6, lines 9-11).

Per claim 31, Wilca teaches the method of claim 27 comprising storing the portion of the database locally (col. 5, lines 48-51).

Response to Arguments

Applicants' arguments in the Amendment have been fully considered but are not persuasive.

Applicant's primary argument is that there is no motivation to combine Suzuki with Wical. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Wical teaches a graphical user interface for displaying information data in a hierarchical structure that includes a plurality of hierarchical levels based on predefined categories of the information data (col. 2, lines 24-30). In Wical, only a particular path for the hierarchical structure from the highest hierarchical level to a currently selected hierarchical level is displayed to the user (see figs. 2a-2c; element 300; see col. 12, lines 17-20). Suzuki similarly also teaches a graphical user interface for displaying information data in a hierarchical structure that includes a plurality of hierarchical levels based on predefined categories of the information data (fig. 4; fig. 4; 1st level of tabs: INSTRUMENT category; 2nd level of tabs: STATE category; 3rd level of tabs: STYLE OF RENDITION category; col. 9, lines 10-29). However in Suzuki, all menu options from the highest hierarchical level to a currently selected hierarchical level are displayed to the user (see fig. 4; col. 9, lines 9-22; col. 25, lines 5-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the graphical

Art Unit: 2174

tabs as taught by Suzuki in the invention of Wical in order to provide a visual presentation of all menu options at all levels of the hierarchical structure and to provide a visual presentation of the hierarchical relationship of all menu options at one level to another level (see fig. 4; col. 9, lines 9-22 and col. 25, lines 5-12).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Vu

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100